



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth Stewart

Serial No.: 10/634,368

Filed: August 6, 2003

For: Bone Instrument Cover or Shield

Art Unit: 3736

Examiner: John Kim

Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

03/09/2007 CNEGA1 00000053 10634368  
01 FC:2252 165.00 OP

**RESPONSE**

Record is made of a telephone call received from Lisa Fulton of Patent and Trademark Office concerning the filing of a Request for Continued Examination (RCE), which was mailed to the PTO on January 28, 2007. The PTO form (see enclosed) include a check (✓) in the box 3aii. A check in the amount of \$560 was also enclosed (\$500 – RCE fee and \$60 – extension fee).

The final rejection in this application is dated October 3, 2006. Applicant's response was due in 3 months (see also office communication dated 1/22/07).

The Request for Extension and \$60 fee were considered to be in order as it was not believed that the filing on January 28, 2007 (Sunday) would take over a week to arrive at the PTO. The Return Receipt Post Card has not yet come to hand so that the exact date of arrival is not clear.

Lisa Fulton, in the phone call advised that another \$165 was due (2 months extension) so it can be assumed that it arrived after the February 3, 2007 due date.

In order to avoid any further delay, the undersigned's check for \$165, the amount requested, is enclosed.

3/4/07  
Date

Respectfully Submitted

  
Evelyn M. Sommer  
Registration No. 19, 603  
Attorney for Applicant  
250 Park Avenue, Suite 825  
New York, NY 10177  
Phone: 212-527-2657

Certificate of Mailing: I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 4 day of March 2007.

